

Remarks

Claims 1-5, 7-10, and 33 are currently pending. As no amendments have been made, there can be no new issues requiring further search and/or consideration. Accordingly, Applicants assert that the currently pending claims are in condition for allowance after final as set forth more fully below and hereby request that the finality be withdrawn and that a Notice of Allowance be provided.

103 Rejections

All pending claims have been rejected as being unpatentable over Ahlberg (US Pat 6,587,836). Applicants respectfully traverse these rejections. In relation to a previous rejection based on the formerly applied Jost reference, the Examiner has agreed that Jost fails to use flags to distinguish service orders corresponding to electronically billed customers from service orders corresponding to non-electronically billed customers. Applicants assert that the Ahlberg reference has the same shortcoming as Jost, and as such, the claims are also allowable over Ahlberg. Ahlberg makes no distinction of electronically billed versus non-electronically billed customers and does not use a flag to distinguish service order entries of such customers. However, Applicants provide several additional reasons as to why the current set of claims are allowable over Ahlberg.

Initially, Applicants note that the current rejections appear to merely pick out keywords of the claims and match those key words to sections of Ahlberg without considering the claim elements and the combination of the claims elements as a whole. The Office Action seems to indicate that so long as Ahlberg receives something, creates something, flags something, stores something, searches something, creates something else, reformats something, and transmits something, then the claim elements are obvious. However, the Office Action completely neglects that the acts of the claim are linked together whereas the act of receiving something in Ahlberg, flagging in Ahlberg, etc. are all distinct, disparate pieces where no explanation has been given as to how these pieces fit together as they do in claim 1.

Additionally, the Office Action states that the claim is merely setting forth intended use and that the Ahlberg reference meets that intended use. As noted above,

Ahlberg does not disclose the elements of the claims, where the acts are linked together as claimed. Furthermore, the Office Action states that there must be some structural difference to provide for patentability, and while Applicants certainly do not acquiesce to such an argument, Applicants assert that such structural differences are present and have been overlooked by the rejections.

As an example of a structural difference that has been completely overlooked, the act of flagging a service order entry provides that the service order entry is flagged so that the “flagged entries” are present in other acts. For example, there is searching for flagged entries, creating a new file that includes the flagged electronic service order entries, and reformatting of the flagged electronic service order entries. The Office Action merely points to a modify flag being set, as discussed in col. 16. However, from a complete reading of this section of the reference, as opposed to merely looking for the keyword “flag” as has apparently been done in the rejection, it is evident that a flag is set as a background processing step upon a user selecting a modify option for a user profile, so that subsequent processing steps are aware that the profile is already in existence, as opposed to being a new profile being added, so that the data of the existing profile is obtained and used to populate user interface fields. The flag is not a flag applied to a service order entry, it is merely a programmatic flag used to control whether the user interface is left blank for a new profile or whether it is populated with data from an existing profile that needs to be modified.

Thus, the flag in Ahlberg is no longer present nor relevant once the user interface is presented to the customer or other user, and the flag is certainly NOT a flag that is applied to a service order entry where that flag of the service order entry is present for subsequent processing steps being applied to the service order entry as currently recited in claim 1. Accordingly, the flag being applied to the service order entry and being present for subsequent processing steps is a structural difference of the elements of the method claim that overcome the current rejections based on Ahlberg.

Accordingly, Applicants assert that even if the Examiner’s position that a structural difference is necessary in order for such a method claim to be patentable, then claim 1 meets such a requirement and is allowable over Ahlberg for at least that reason. Applicants further assert that claim 1 is allowable for additional reasons as well, such as

that the citations to Ahlberg are not properly linked together but are disparate pieces that just happen to have the same keywords as the claim elements, and that Ahlberg makes no mention of service order entries that require an account number change as recited in the claims.

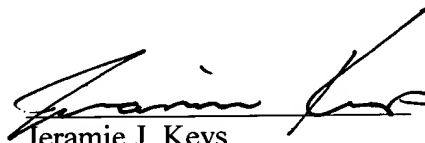
Conclusion

Applicants assert that the application including claims 1-5, 7-10, and 33 is in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above after final and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due beyond the fee for a two month extension. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: September 28, 2005


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